**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty. Docket: TOVEY5A

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| In re Application of: | ) | Conf. No.: 1014 |
| Michael G. TOVEY et al | ) | Art Unit: 1636 |
| Appln. No.: 10/677,777 | ) | Examiner: T. L. Garvey |
| Filed: October 3, 2003 | ) | Washington, D.C. |
| For: GENE REPORTER ASSAY, KIT, AND CELLS FOR DETERMINING THE PRESENCE AND/OR ... | ) | December 5, 2006 |

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Notice of Non-Compliant Amendment dated November 16, 2006, the entire corrected non-compliant "Amendments to the Claims" section of applicants' amendment of September 7, 2006, is re-submitted below. Please amend as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 18 of this paper.